

JS-6

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

E. MISHAN & SONS, INC.,	)	Civ. Action No. 8:22-cv-00984-DOC-DFM
Plaintiff,	)	
v.	)	
P2 TRADING, INC., and	)	<b>STIPULATED PERMANENT</b>
DANIEL YANG,	)	<b>INJUNCTION</b>
Defendants.	)	

THIS CAUSE coming on to be heard on the stipulation of the parties, the parties having agreed upon a settlement of their differences including the entry of a stipulated permanent injunction and having entered into a Settlement Agreement. This Permanent Injunction is entered into with reference to the following agreed Statement of Facts:

**STATEMENT OF FACTS**

1. E. Mishan & Sons, Inc. (“Mishan”) is the owner of U.S. Design Patent No. D842,521 (“the Mishan Patent”).
2. Mishan is the owner of copyright registration VAu 1-328-679 (“the Mishan Copyright”).
3. Defendants have marketed, distributed, advertised, promoted, imported, offered for sale and sold the following product:
  - a. Solar powered LED disc lights under the trademarks LIGHTSMAX and SOWAZ, and/or Item # SLDA72X8 (“the Accused Product”).



4. On May 13, 2022, Mishan filed a complaint against the Defendants in the United States District Court for the Central District of California, entitled, *E. Mishan & Sons, Inc. v. P2 Trading, Inc. and Daniel Yang*, Case No. 8:22-cv-00984-DOC-DFM, asserting claims for copyright infringement and patent infringement, of the Mishan Copyright and Mishan Patent, by the Accused Product (“the Litigation”).
5. To avoid further litigation and to resolve the Litigation, Mishan and the Defendants recently entered into a Settlement Agreement, the terms of which are confidential. The Parties agree that:
  - a. The Statement of Facts herein are true and correct;
  - b. This Court has subject matter jurisdiction over the Litigation;
  - c. This Court has personal jurisdiction over the Parties herein;

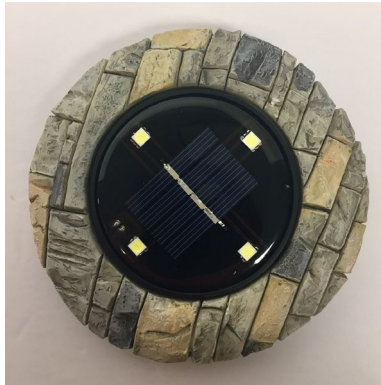
- 1 d. Venue is proper in this Court; and  
2 e. Each of the Parties waives any right to a hearing or trial in regard to  
3 the matters set forth herein.  
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5 **PERMANENT INJUNCTION**

6 WHEREFORE, upon the consent and request of Mishan and Defendants, **IT**  
7 **IS HEREBY ORDERED THAT:**

- 8 1. Defendants and their subsidiaries, divisions, affiliates, directors, officers,  
9 members, managers, owners, agents, employees, successors, assigns and all  
10 others acting in concert with them or under their control who receive actual  
11 notice hereof, are hereby permanently enjoined from:

- 12 a. copying or displaying the Mishan Copyright or any works substantially  
13 similar to the Mishan Copyright;



- 21 b. making, importing, distributing, using, offering for sale, or selling the  
22 Accused Product, any other products covered by the Mishan Patent, or  
23 any colorable imitation thereof.  
24 2. Defendant P2 Trading Inc. must:  
25 a. Permanently remove all instances of any photograph or depiction of  
26 the Accused Product from [www.pestsdefender.com](http://www.pestsdefender.com), or any other  
27 website under its control;  
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1           b. Immediately destroy any remaining inventory of the Accused Product  
2           in its possession, custody or control.

3           3. This is a final order. The parties hereby waive any right to appeal this  
4           Stipulated Permanent Injunction.

5           4. This Court shall retain jurisdiction of this matter and the parties for purposes  
6           of enforcing this Stipulated Permanent Injunction and Settlement Agreement.

7           5. This action is now dismissed with prejudice pursuant to Rule 41(a)(1)(A)(ii)  
8           and each party shall bear its own costs and attorneys' fees. The Court retains  
9           jurisdiction to vacate or modify this dismissal and to reopen the action within  
10          45 days, upon request of any party specifying that a party has failed to fulfill  
11          the terms of the Settlement Agreement.

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14           IT IS SO ORDERED.

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16           Dated: July 29, 2022

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The Honorable David O. Carter  
United States District Judge